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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 NATHANIEL MARCUS GANN, et al.,

12 Plaintiff,

13 vs.

14 VALLEY STATE PRISON, et al.,

15 Defendants.

1:19-cv-01797-GSA-PC

**ORDER GRANTING PLAINTIFF  
NATHANIEL MARCUS GANN'S  
APPLICATION TO PROCEED IN  
FORMA PAUPERIS  
(ECF No. 2.)**

**and**

**ORDER DIRECTING PAYMENT  
OF INMATE FILING FEE BY  
CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND  
REHABILITATION**

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20 Plaintiff Nathaniel Marcus Gann is a prisoner proceeding *pro se* pursuant to 42 U.S.C.  
21 § 1983 and has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915.  
22 Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed *in*  
23 *forma pauperis* will be granted. Plaintiff is obligated to pay the statutory filing fee of \$350.00  
24 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the  
25 amount of twenty percent of the preceding month's income credited to plaintiff's trust account.  
26 The California Department of Corrections and Rehabilitation is required to send to the Clerk of  
27 the Court payments from plaintiff's account each time the amount in the account exceeds \$10.00,  
28 until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

1 In accordance with the above and good cause appearing therefore, IT IS HEREBY  
2 ORDERED that:

3 1. Plaintiff Nathaniel Marcus Gann's application to proceed *in forma pauperis* is  
4 GRANTED;

5 **2. The Director of the California Department of Corrections and**  
6 **Rehabilitation or his designee shall collect payments from plaintiff Nathaniel**  
7 **Marcus Gann's prison trust account in an amount equal to twenty per cent (20%)**  
8 **of the preceding month's income credited to the prisoner's trust account and shall**  
9 **forward those payments to the Clerk of the Court each time the amount in the**  
10 **account exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of**  
11 **\$350.00 has been collected and forwarded to the Clerk of the Court. The payments**  
12 **shall be clearly identified by the name and number assigned to this action.**

13 3. The Clerk of the Court is directed to serve a copy of this order and a copy of  
14 plaintiff Nathaniel Marcus Gann's *in forma pauperis* application on the Director of the  
15 California Department of Corrections and Rehabilitation, via the court's electronic case  
16 filing system (CM/ECF).

17 4. The Clerk of the Court is directed to serve a copy of this order on the Financial  
18 Department, U.S. District Court, Eastern District of California.  
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21 IT IS SO ORDERED.

22 Dated: January 3, 2020

/s/ Gary S. Austin  
23 UNITED STATES MAGISTRATE JUDGE  
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